

**DECLARATION**

As the below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHOD AND APPARATUS FOR DELIVERING AND DISPLAYING INFORMATION FOR A MULTI-LAYER USER INTERFACE** the specification of which was filed on 12/4/00 as Application Serial No. 09/729,660.

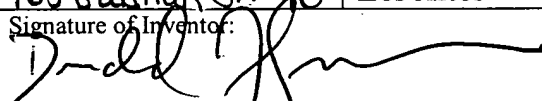
I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

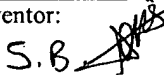
I claim no foreign priority benefits under Title 35, United States Code, Section 119.

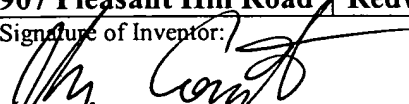
I claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

| Application No. | Date of Filing |
|-----------------|----------------|
| 60/253,417 | 11/27/00 |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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|--------------------------|---|-------------------------------------|---|
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| Full Name of Inventor 3 | Last Name: COMITO | First Name: JOHN | Middle Name or Initial: P. |
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| Signature & Date: | Signature of Inventor:  | | Date: 1/22/01 |



POWER OF ATTORNEY BY ASSIGNEE

DIVA Systems Corporation is the Assignee of the invention entitled: **METHOD AND APPARATUS FOR DELIVERING AND DISPLAYING INFORMATION FOR A MULTI-LAYER USER INTERFACE**, the specification of which was filed on December 4, 2000 as Application Serial No. 09/729,660.

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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DIVA Systems Corporation

Date: January 8, 2001

By: Stephanie Storms
(Signature)

Name: Stephanie Storms
Title: Senior Vice President